IN THE HIGH OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(*Special Original Jurisdiction*)

MONDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No.25762 of 2007

Between:

Ch. Bhumaiah … Petitioner

Versus

The District Collector,
Civil Supplies, Adilabad & Anr. … Respondents

Counsel for the Petitioner: **SRI P. LAKSHMA REDDY**

Counsel for the Respondents: **GP for CIVIL SUPPLIES**

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No.25762 of 2007

O R D E R :

The learned Govt.Pleader for Civil Supplies had taken notice on 04-12-2007 and requested time to get instructions.

2. The learned Govt.Pleader for Civil Supplies had produced the records before this court and would submit that no personal hearing was given, the same is hereby recorded.

3. Heard Sri P. Laxma Reddy, the learned counsel for the writ petitioner.

4. The writ petition is filed for a writ of mandamus, declaring the Proceedings RC.No.B/10225/2007 dated 23-11-2007 of the second respondent as being illegal, arbitrary, unconstitutional, violative of principles of natural justice and also contrary to clause 28 of AP Petroleum Products (Licencing and Regulation of Supplies) Order, 1980 and consequently to set aside the same and to pass such other suitable orders as this Court deems fit and proper in the circumstances of the case.

5. The main grievance of the petitioner is that clause 28 (1) of AP Petroleum Products (Licencing and Regulation of Supplies) Order, 1980 had been followed and the same is violative of principles of natural justice.

6. This Court is not inclined to express any further opinion

relating to the merits or demerits of the matter in relation to several of the averments made in the affidavit filed in support of the writ petition. In-as-much-as no personal hearing was given to the petitioner, the impugned order is set aside and the matter is remitted to the second respondent to give reasonable opportunity to the petitioner in accordance with law and dispose of the same within a period of four weeks from the date of receipt of a copy of this order and till then the operation of the impugned order is hereby suspended.

7. With the above direction, the writ petition is disposed of at the stage of admission. No costs.

JUSTICE P S NARAYANA.

10/12/2007.

NB:
Furnish CC of the order
tomorrow.
B/o. IsL.